





As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

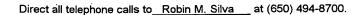
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS AND COMPOSITIONS FOR SCREENING USING DIPHTHERIA TOXIN CONSTRUCTS, the specification of which

(check		is attached hereto.						
one)								
	1 X 1	vas filed on <u>November 13, 2</u>						
	۾ لا	application Serial No. <u>09/71</u>	<u> 2,821</u>					
		and was amended on					•	
		(1	f applicabl	le)				
l hereby claim the benefit u	nder 35 U.	S.C. 119(e) of any United S	tates prov	isional ap	olication(s	s) listed b	elow.	
	-	60/165,189	Vovember	12, 1999	_			
I hereby state that I have r as amended by any amend		nd understand the contents red to above.	of the ab	ove-ident	fied spec	ification,	including th	e claims,
	disclose to	the Patent Office all inform	ation knov	vn to me t	be mate	erial to pa	tentability a	s defined
n 37 C.F.R. 1.56.								
l hereby claim foreign prior inventor's certificate listed	below and	s under Title 35, United Sta I have also identified below application on which priority i	any forei	gn applica				-
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l hereby claim foreign prior inventor's certificate listed having a filing date before th	below and hat of the a	I have also identified below	any forei s claimed:	gn applica				-
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hereby claim foreign prior inventor's certificate listed having a filing date before the Prior Foreign Application (Number) hereby claim the benefit under the subject matter of earnanner provided by the first office all information known.	below and nat of the a cation(s) (Country) ander Title 3 ach of the t paragraph to me to	I have also identified below application on which priority i	eny foreignes claimed: Priority Yes of any Un not disclode, §112 as defined	gn applica Claimed No ited States esed in the 2, I acknowd in 37 C.	s applicati e prior U dedge the F.R. 1.56	oatent or ion(s) list nited Star e duty to o 6 which o	inventor's of ed below and tes application	d, insofar on in the ne Patent

Form No. 1.02 (1050734)

Page 1

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Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP Suite 3400, Four Embarcadero Center San Francisco, California 94111-4187

File No. A-70036/RMS/JJD

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or	
first inventor:	TODD M. KINSELLA
Inventor's signature:	Sum, lun
Date:	6 June 2001
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Full name of second inventor:	n/a
Inventor's signature:	
Date:	
Residence:	
Citizenship:	
Post Office Address:	

Not Accompanying Application)

Commissioner of Patents and Trademarks:

The undersigned assignee of the entire interest in application for letters patent entitled:

METHODS AND COMPOSITION FOR SCREENING USING DIPHTHERIA TOXIN CONSTRUCTS

and having the named inventor:

TODD M. KINSELLA

Serial No. 09/712,821, filed on or about the 13th day of November, 2000,

hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 1.31: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; provided that if any one of said attornevs ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Robin M. Silva at (415) 781-1989.

Address all correspondence to:

FLEHR HOHBACH TEST **ALBRITTON & HERBERT LLP** Suite 3400, Four Embarcadero Center San Francisco, California 94111

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	South San Francisco, CA 94080

June

File No. A-70036/RMS/JJD

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